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6 **UNITED STATES DISTRICT COURT**  
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9 EASTERN DISTRICT OF CALIFORNIA  
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12 GLORIA BARAJAS, 1:02-CV-6202 DLB HC  
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15 Petitioner, ORDER DENYING PETITION FOR WRIT OF  
16 v. HABEAS CORPUS PURSUANT TO NINTH  
17 CIRCUIT COURT OF APPEALS MANDATE  
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20 KAREN WISE, PAROLE AGENT, [Doc. 51]  
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23 Respondent. /  
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25 On February 15, 2006, the undersigned granted Petitioner's petition for writ of habeas  
26 corpus filed pursuant to 28 U.S.C. § 2254, subject to the State's right to retry Petitioner. (Court  
27 Doc. 41.)  
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29 The State filed a notice of appeal with the United States Court of Appeals for the Ninth  
30 Circuit. (Court Doc. 45.)  
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32 On March 23, 2007, the Ninth Circuit, in a published opinion, affirmed this Court's  
33 decision granting the petition. See Barajas v. Wise, 481 F.3d 734 (9<sup>th</sup> Cir. 2007).  
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35 The appellate court subsequently granted the State's motion for rehearing, and on  
36 October 22, 2007, the Court held, in an unpublished opinion "that the California trial court did  
37 not violate defendant Barajas' constitutional right of confrontation of the witness against him by  
38 denying disclosure of the witness's current and former addresses as a matter of discretion," and  
39 the petition for writ of habeas corpus should be denied. Barajas v. Wise, 2007 WL 3105756  
40 (October 22, 2007) (en banc).  
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1 Accordingly, pursuant to the Ninth Circuit's decision and mandate, the instant petition for  
2 writ of habeas corpus is HEREBY DENIED, and judgment shall be entered in favor of  
3 Respondent, terminating this action.

4 IT IS SO ORDERED.

5 Dated: March 27, 2008

/s/ Dennis L. Beck

6 UNITED STATES MAGISTRATE JUDGE

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